

This record is a partial extract of the original cable. The full text of the original cable is not available.

172057Z Dec 01

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ACTION AF-00

INFO	LOG-00	NP-00	AID-00	AMAD-00	CIAE-00	INL-00	USNW-00
	DODE-00	WHA-00	SRPP-00	DS-00	EAP-00	EB-00	EUR-00
	VC-00	H-01	TEDE-00	INR-00	IO-00	LAB-01	L-00
	VCE-00	AC-01	NSAE-00	OIC-02	OMB-01	OPIC-01	CAEX-01
	PA-00	PC-01	PM-00	PRS-00	ACE-00	P-00	SP-00
	STR-00	TRSE-00	USIE-00	PMB-00	DSCC-00	PRM-00	DRL-02
	G-00	NFAT-00	SAS-00	SWCI-00	/011W		
				-----4CCB70	172156Z	/38	

FM AMEMBASSY HARARE
TO SECSTATE WASHDC PRIORITY 0558
INFO NSC WASHDC PRIORITY
SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
AMEMBASSY NAIROBI
AMEMBASSY OSLO
AMEMBASSY CANBERRA
AMEMBASSY STOCKHOLM
AMEMBASSY KINGSTON
AMEMBASSY ABUJA

C O N F I D E N T I A L HARARE 003748

SIPDIS

NSC FOR SENIOR AFRICA DIRECTOR JENDAYI FRAZER
LONDON FOR GURNEY
PARIS FOR NEARY
NAIROBI FOR PFLAUMER

E.O. 12958: DECL. 12/17/11

TAGS: [PGOV PHUM ZI](#)

SUBJECT: MDC LEADER CHARGED WITH POSSESSING UNLICENSED
RADIO

CLASSIFIED BY POLITICAL SECTION CHIEF MATT HARRINGTON.
REASONS: 1.5 (B) AND (D).

1. (C) ON DECEMBER 15, POLICE CHARGED OPPOSITION MOVEMENT FOR DEMOCRATIC CHANGE (MDC) LEADER MORGAN TSVANGIRAI UNDER THE POSTAL AND TELECOMMUNICATIONS ACT WITH POSSESSING AN UNLICENSED RADIO. THE RADIO WAS A WALKIE-TALKIE USED BY ONE OF HIS BODYGUARDS. AFTER INSTRUCTING TSVANGIRAI TO WRITE A STATEMENT ACKNOWLEDGING THE PRESENCE OF THE RADIO IN HIS HOME AND THAT NO LICENSE HAD BEEN OBTAINED FOR IT, POLICE SAID HE COULD EXPECT A SUMMONS LATER IN THE WEEK TO APPEAR IN COURT. TSVANGIRAI TOLD JOURNALISTS THAT THE RADIO BELONGED TO THE MDC AS A PARTY, NOT TO HIM PERSONALLY. INNOCENT CHAGONDA, TSVANGIRAI'S ATTORNEY, TOLD US THAT THE POSTAL AND TELECOMMUNICATIONS ACT PROVIDES FOR A MAXIMUM PENALTY UPON CONVICTION ON THIS CHARGE OF A FINE OF UP TO 200,000 ZIMBABWEAN DOLLARS (APPROXIMATELY U.S. \$600) AND/OR UP TO TWO YEARS IMPRISONMENT. HE TOLD US IT IS NOT CLEAR THAT THE ACT APPLIES IN THIS CASE, AS THE MDC HAD PURCHASED THE RADIO BEFORE THE LAW CAME INTO EFFECT LAST YEAR. CHAGONDA DISMISSED THE CHARGE AS PURE HARASSMENT, AND SAID HE HAD NO DOUBT THAT THE GOZ "WILL COME UP WITH SOMETHING ELSE AGAINST TSVANGIRAI BY JANUARY."

12. (C) THE FILING OF CHARGES FOLLOWED SEVERAL DAYS OF POLICE HARASSMENT OF TSVANGIRAI. AT 12:30 A.M. ON DECEMBER
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13, POLICE, ARMED WITH A SEARCH WARRANT, SEARCHED THE MDC LEADER'S HOUSE FOR SOMEONE THEY SAID WAS WANTED IN CONNECTION WITH THE RECENT MURDER OF BULAWAYO WAR VETERAN LEADER CAIN NKALA. POLICE DID NOT FIND THE ALLEGED FUGITIVE BUT MUST HAVE SEEN THE BODYGUARD'S WALKIE-TALKIE SITTING IN ITS CHARGER, PROVIDING THE PERFECT EXCUSE FOR A RETURN VISIT. AT 5:30 A.M. ON DECEMBER 14, POLICE RETURNED TO TSVANGIRAI'S HOUSE, THIS TIME TAKING HIM TO HARARE'S CENTRAL POLICE STATION. THE MDC LEADER WAS ONLY ASKED TO PRODUCE A LICENSE FOR THE RADIO, BUT WAS RELEASED AT THAT POINT WITHOUT CHARGE AFTER THREE HOURS.

13. (C) GANDI MUDZINGWA, TSVANGIRAI'S SPECIAL ASSISTANT, SURMISED THAT THE GOZ IS TRYING TO MAKE IT DIFFICULT FOR TSVANGIRAI TO CAMPAIGN AROUND THE COUNTRY BY KEEPING HIM

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TIED DOWN IN HARARE ON CONTRIVED LEGAL MATTERS. CLIVE PUZEY, WHO SERVES AS TSVANGIRAI'S INFORMAL INTELLIGENCE CHIEF, EXPRESSED MORE SERIOUS CONCERN ABOUT THE LENGTHS TO WHICH AN INCREASINGLY DESPERATE GOVERNMENT MIGHT GO. PUZEY TOLD US HE HAS ARRANGED TO SPIRIT AWAY THE MDC LEADERSHIP TO SAFEHOUSES AROUND THE COUNTRY SHOULD THE SECURITY

SITUATION DETERIORATE SIGNIFICANTLY. HE ALSO BELIEVES THE PARTY OUGHT TO EXPLORE A LAST RESORT OPTION OF ESTABLISHING A GOVERNMENT-IN-EXILE IN EITHER BOTSWANA OR SOUTH AFRICA AND IS SEEKING TSVANGIRAI'S GO-AHEAD TO FEEL OUT THOSE TWO GOVERNMENTS ON THIS POSSIBILITY. PUZEY AND OTHERS AROUND TSVANGIRAI ARE MORE AND MORE CONCERNED THAT AN INCREASINGLY

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DESPERATE MUGABE MIGHT BE DRIVEN TO TAKE HIM OUT OR THAT, AT THE VERY LEAST, BELLICOSE PRESIDENTIAL RHETORIC MIGHT ENCOURAGE ZANU-PF SYMPATHIZERS TO MAKE SUCH AN ATTEMPT.

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COMMENT

14. (C) IT IS LIKELY NO CONCIDENCE THAT THE DETENTION OF TSVANGIRAI OCCURRED AT THE SAME TIME AS THE ZANU-PF .

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CONGRESS IN VICTORIA FALLS, WHERE PRESIDENT MUGABE OFFICIALLY LAUNCHED HIS PRESIDENTIAL CAMPAIGN BY DECLARING WAR ON THE MDC (SEPTTEL). THE TREATMENT OF TSVANGIRAI CONSTITUTES SIMPLE HARASSMENT OF A LEGITIMATE OPPOSITION LEADER -- THE RADIO POSSESSION CHARGE PROVIDED MERELY A HANDY PRETEXT -- A ND WAS THE LATEST EPISODE IN THE GOZ'S ONGOING EFFORT TO KEEP THE MDC LEADERSHIP OFF-BALANCE AND FORCE IT TO SPEND SCARCE RESOURCES ON LEGAL FEES.

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